

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:06CR204
)	
v.)	
)	
FERNANDO DELAROSA,)	FINAL ORDER OF
)	FORFEITURE
Defendant.)	
)	

This matter is before the Court upon the United States' Motion for Final Order of Forfeiture and Memorandum Brief (Filing No. 42). The Court has reviewed the record in this case and finds as follows:

1. On October 16, 2006, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 18, United States Code, Sections 922(g)(1), 924(d) and Title 28, United States Code, Section 2461(c), based upon the defendant's plea of guilty to Counts I, II, IV, VI and VIII of the Superseding Indictment filed herein. By way of said Preliminary Order of Forfeiture, the defendant's interest in a 9mm semi-automatic handgun, model P9RZ, serial number RZ00337, a Remington Model 522 Viper .22 caliber rifle, serial number 3080913, a Stevens, Model 59A .410 shotgun with no serial number, and a Mohawk 10 C .22 caliber rifle, serial number 2533594., were forfeited to the United States.

2. On October 26, November 2 and 9, 2006, the United States Bureau of Alcohol, Tobacco and Firearms published in a newspaper of general circulation notice of this forfeiture and of the intent of the United States Bureau of Alcohol, Tobacco and Firearms to dispose of the properties in accordance with the law, and further notifying all third parties of their right to

petition the Court within the stated period of time for a hearing to adjudicate the validity of their alleged legal interest(s) in said properties. An Affidavit of Publication was filed herein on December 29, 2006 (Filing No. 41).

3. The Court has been advised by the United States no Petitions have been filed.

From a review of the Court file, the Court finds no Petitions have been filed.

4. Plaintiff's Motion for Final Order of Forfeiture should be sustained.

IT IS ORDERED:

A. Plaintiff's Motion for Final Order of Forfeiture is hereby sustained.

B. All right, title and interest in and to the subject properties, i.e., a 9mm semi-automatic handgun, model P9RZ, serial number RZ00337, a Remington Model 522 Viper .22 caliber rifle, serial number 3080913, a Stevens, Model 59A .410 shotgun with no serial number, and a Mohawk 10 C .22 caliber rifle, serial number 2533594, held by any person or entity, are hereby forever barred and foreclosed.

C. The subject properties, i.e., a 9mm semi-automatic handgun, model P9RZ, serial number RZ00337, a Remington Model 522 Viper .22 caliber rifle, serial number 3080913, a Stevens, Model 59A .410 shotgun with no serial number, and a Mohawk 10 C .22 caliber rifle, serial number 2533594, be, and the same hereby are, forfeited to the United States of America .

D. The United States Bureau of Alcohol, Tobacco and Firearms for the District of Nebraska is directed to dispose of said properties in accordance with law.

DATED this 5th day of January, 2007.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, SENIOR JUDGE
United States District Court